

Natural Gas Orders - Issued 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY PAM NATURAL GAS AGAINST MIDAMERICAN ENERGY COMPANY REGARDING PGA FACTORS)))	ORDER GRANTING INTERVENTION AND DENYING MOTION FOR CONTINUANCE NG96-016
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On July 8, 1996, the Public Utilities Commission (Commission) received a complaint against MidAmerican Energy Company (MidAmerican) from PAM Natural Gas (PNG) regarding PGA factors. Also on July 8, 1996, PNG filed a request with the Commission to receive all underlying workpapers of MidAmerican's June PGA filing which were submitted as confidential.

On July 30, 1996, a regularly scheduled meeting, the Commission deferred action in this matter at the request of the parties. On November 1, 1996, a regularly scheduled meeting, the Commission considered the complaint. The Commission voted to defer action in this matter in order to allow the parties to review MidAmerican's proposal. [Commissioner Schoenfelder dissenting.] PNG had also requested that they be allowed to receive MidAmerican's workpapers that are filed under confidential seal with the Commission. The Commission unanimously voted to establish a procedural schedule for a hearing on PNG's request for confidential information. On December 31, 1996, a duly noticed meeting, the Commission voted to not find probable cause, to dismiss the complaint and to close the complaint portion of the docket.

On February 4, 1997, Northwestern Public Service Company (NWPS) filed a Petition to Intervene in this matter. On February 6, 1997, Montana-Dakota Utilities Company (MDU) filed a Petition to Intervene. On February 10, 1997, MidAmerican filed with the Commission its Resistance to Letter and Motion to Compel and for Continuance.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A, and ARSD 20:10:01:15.02, and 20:10:01:39 through 20:10:01:44, inclusive.

A regularly scheduled February 11, 1997, meeting the Commission, pursuant to ARSD 20:10:01:15.02, found that denial of NWPS' and MDU's petitions would be detrimental to the public interest and that NWPS and MDU should be allowed to intervene. PNG did not oppose the intervention of either party. MidAmerican stated that PAM had answered its data request and no longer wished to pursue the Motion to Compel, however, based upon the answer, MidAmerican did wish to pursue the Motion for Continuance. The Commission considered the arguments of the parties as to this motion. The Commission voted to deny the Motion for

Continuance. It is therefore

ORDERED that the Petitions for Intervention of NWPS and MDU are hereby granted. It is further

ORDERED that MidAmerican's Motion for Continuance is hereby denied.

Dated at Pierre, South Dakota, this 20th day of February, 1997.

CERTIFICATE OF SERVICE

BY ORDER OF THE COMMISSION:

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

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